

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER  
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

CASE NO. 3:18-MD-02843-VC-JSC

**STIPULATION AND [PROPOSED]  
ORDER REGARDING WITHDRAWAL  
OF BLOCK & LEVITON LLP'S MOTION  
FOR LEAVE TO INTERVENE AND  
UNSEAL**

By and through their undersigned counsel, Defendant Facebook, Inc. and proposed intervenor Block & Leviton LLP hereby stipulate and agree as follows:

1. Whereas, on May 10, 2021, Block & Leviton filed a Notice of Motion and Motion for Leave to Intervene and Unseal (ECF No. 669) (the “Motion”), seeking leave to intervene and to unseal Exhibit B to Plaintiffs’ Opposition to Defendant Facebook, Inc.’s Request to Enforce the Partial Stay of Discovery, ECF 526-2 (the “Challenged Document”).

2. Whereas, the parties have met and conferred and agreed to resolve the Motion without the need for Court intervention.

**THE PARTIES THEREFORE STIPULATE AND AGREE AS FOLLOWS:**

1. By May 26, 2021, Facebook will produce the Challenged Document in response to the September 20, 2019 demand under 8 *Del. C.* § 220 of Employees’ Retirement System of Rhode Island (“ERSRI”), plaintiff in the action captioned *Employees Retirement System of Rhode Island v. Facebook, Inc.*, No. CV 2020-0085-JRS, pending in the Court of Chancery for the State of Delaware, subject to the Confidentiality Agreement between ERSRI and Facebook dated as of January 3, 2020, under which produced materials “shall not be disclose[d], publish[ed], communicate[d], or transmit[ed] ... to any other person, either directly or indirectly, except as provided in [the] Agreement.” § 5; *see also* § 6 (materials “shall not be disclosed to any other person”).

2. Block & Leviton hereby withdraws the Motion.

*[Remainder of page intentionally left blank]*

Dated: May 24, 2021

Respectfully submitted

**BLOCK & LEVITON LLP**

By: /s/ Joel Fleming  
Joel Fleming

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*Counsel for Proposed Intervenor Block &  
Leviton LLP*

Dated: May 24, 2021

Respectfully submitted,

**GIBSON, DUNN & CRUTCHER, LLP**

By: /s/ Orin Snyder  
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*Attorneys for Defendant Facebook, Inc.*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
Hon. Jacqueline Scott Corley  
United States Magistrate Judge

**SIGNATURE ATTESTATION**

Pursuant to Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained.

DATED: May 24, 2021

By: /s/ Orin Snyder  
Orin Snyder

**CERTIFICATE OF SERVICE**

I, Orin Snyder, hereby certify that on May 24, 2021, I electronically filed the foregoing with the Clerk of the United States District Court for the Northern District of California using the CM/ECF system, which shall send electronic notification to all counsel of record.

By: /s/ Orin Snyder  
Orin Snyder